



1617

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Chudzik et al.

Serial No. 09/901,425

Filed: 9 July 2001

For: MEDICAMENT INCORPORATION  
MATRIX

To: Commissioner for Patents  
P.O. Box 1450  
Washington, D.C. 22313-1450

) Art Unit: 1617

)

) Our Ref. 9896.139.3

)

)

)

)

)

)

)

)

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231  
☐ facsimile transmitted to the Patent and Trademark Office

☐ hand delivered to the Patent and Trademark Office

on this 19th day of December 2003

By [Signature]

RECEIVED

DEC 31 2003

TECH CENTER 1600/2900

REMARKS

This communication is filed in response to the Office Action of November 25, 2003, for which the unextended period for response is set to expire December 25, 2003. Applicant elects with traverse, the species including nucleic acids of claim 58 and ethylene vinyl acetate of claim 77.

It is to be understood that this election of species is for the sole purpose of the Examiner's initial search and examination, and that upon allowance of a generic claim, all species encompassed by that claim will then be examined. M.P.E.P. § 809.02(c). Therefore, Applicant respectfully requests that the search be conducted pursuant to Markush practice thereby providing for the inclusion of all species included in the generic claim and all claims dependent thereon.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J Thiele', written in a cursive style.

Jeannine J. Thiele  
Registration No. P-54,939

Customer No. 022859  
Fredrikson & Byron, P.A.  
4000 Pillsbury Center  
200 South Sixth Street  
Minneapolis, Minnesota 55402-1425  
Telephone: (612) 492-7000  
Facsimile: (612) 492-7077